

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 JULIUS BRADFORD,

4 Plaintiff

5 v.

6 STEVE SISOLAK, et al.,

7 Defendants

Case No.: 2:20-cv-00871-APG-BNW

**Order Affirming Magistrate Judge's Order
Dismissing Complaint Without Prejudice**

[ECF No. 42]

8 On May 14, 2021, Magistrate Judge Weksler issued a screening order under 28 U.S.C.
9 § 1915A(a) in which she dismissed plaintiff Julius Bradford's complaint without prejudice. ECF
10 No. 38. Judge Weksler found, among other things, that Bradford lacked standing to bring his
11 claims because he had not sufficiently alleged an injury. *Id.* at 1. Bradford objects to Judge
12 Weksler's order. ECF No. 42.

13 I have conducted a *de novo* review of the objection, Judge Weksler's order, and the
14 underlying papers. Judge Weksler's order sets forth the proper legal analyses and factual bases
15 for her recommendation. I therefore adopt Judge Weksler's order as my own with one
16 modification: Judge Weksler dismissed Bradford's second claim, a procedural due process claim,
17 in part because she found the complaint failed to articulate a plausible procedural due process
18 claim. ECF No. 38 at 8-9. To the extent the complaint alleges a procedural due process claim in
19 regard to a legislative action, I do not adopt Judge Weksler's finding that Bradford failed to
20 articulate this claim. However, I agree with Judge Weksler that Bradford failed to allege facts in
21 his complaint to plausibly support standing to bring this claim, so this claim is dismissed with
22 leave to amend. *Id.* at 8.

1 I THEREFORE ORDER that Magistrate Judge Weksler's order (**ECF No. 38**) is
2 **AFFIRMED** as modified above, and plaintiff Julius Bradford's objection (**ECF No. 42**) is
3 **OVERRULED**. Bradford has until **April 11, 2022** to file an amended complaint, if facts exist
4 to do so. I direct Mr. Bradford to pages 21-23 of Judge Weksler's order (ECF No. 38) for
5 instructions on what to include in an amended complaint, particularly the instruction that his
6 amended complaint must contain all factual allegations that he wishes to pursue in this lawsuit.

7 DATED this 11th day of March, 2022.

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ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE